

CHAPTER 12

Termination or Suspension of Services

Anytime EIBI services are terminated or suspended, the child's parent/legal guardian must be given written notice to include the details regarding the termination or suspension of services, and the allowance for appeal/reconsideration. Additionally, there is a ten (10) calendar day waiting period (from the date that the termination/suspension form is completed and sent to the child's parent/legal guardian) before proceeding with the termination or suspension (when applicable).

The child's parent/legal guardian will be provided an opportunity for a fair hearing prior to any action being taken. The Case Manager must send written notice at least ten (10) calendar days before the date of action. The following reasons do not require a ten (10) calendar day notice:

- Termination due to loss of Medicaid eligibility
- Voluntary withdrawal
- Recipient moves out of state
- Recipient is admitted to an ICF/ID or Nursing Facility
- Death

Termination of EIBI Services

If the child's services are scheduled to be terminated, the Case Manager is responsible for completing the appropriate Notice of Termination of Service. The services that are scheduled to be terminated should be indicated on the form along with the reason and comments to support that reason. The effective date for termination will be at least ten (10) calendar days from the date that the form is completed and sent to the parent/legal guardian, which allows the parent/legal guardian ten (10) calendar days notice prior to termination of the service and the opportunity to appeal that decision prior to termination. If the child's parent/legal guardian appeals the decision within 10 days of the notification, then the parent/legal guardian may choose to have the services uninterrupted while awaiting the outcome of the appeal. However, if the appeal is upheld, then the parent/legal guardian will be liable for payment of those services. Although the parent/legal guardian has a total of thirty (30) calendar days to request reconsideration of/appeal the decision, the service will be terminated if the reconsideration is not requested or the decision appealed within ten (10) calendar days.

Once the form is completed, the following should occur:

- For PDD Waiver recipients: the original **PDD Waiver Notice of Termination of Services (PDD Form 16-A)**, including the **SCDDSN Reconsideration Process and SCDHHS Medicaid Appeals Process (PDD Form 31-A)** must be sent to the recipient's parent/legal guardian. Copies of the **Notice of Termination** must be sent to the EIBI Provider, the District I Waiver Coordinator, the Autism Division PDD Consultant, and a copy maintained in the recipient's file.

- For PDD State Funded recipients: the original **PDD State Funded Program Notice of Termination of Services (PDD Form 16-B)**, including the **PDD State Funded Program Reconsideration/Appeals Process (PDD Form 31-B)** must be sent to the recipient's parent/legal guardian. Copies of the **Notice of Termination** must be sent to the EIBI Provider, the District I Waiver Coordinator, the Autism Division PDD Consultant, and a copy maintained in the recipient's file.

Suspension of EIBI Services

When enrolled in the PDD Program, there may be circumstances where a child's services may need to be suspended, but not terminated. One such example is when the child is admitted to the hospital. In these instances, all services (Waiver and State Funded) must be suspended.

If the child's services are scheduled to be suspended, the Case Manager is responsible for completing the appropriate **Notice of Suspension of Service**. The services that are scheduled to be suspended should be indicated on the form along with the reason and comments to support that reason. The effective date for suspension will be at least ten (10) calendar days from the date that the form is completed and sent to the parent/legal guardian, which allows the parent/legal guardian ten (10) calendar days notice prior to suspension of the service and the opportunity to appeal that decision prior to suspension. If the child's parent/legal guardian appeals the decision within 10 days of the notification, then the parent/legal guardian may choose to have the services uninterrupted while awaiting the outcome of the appeal. However, if the appeal is upheld, then the parent/legal guardian will be liable for payment of those services. Although the parent/legal guardian has a total of thirty (30) calendar days to request reconsideration of/appeal the decision, the service will be suspended if the reconsideration is not requested or the decision appealed within ten (10) calendar days.

Once the form is completed, the following should occur:

- For PDD Waiver recipients: the original **PDD Waiver Notice of Suspension of Services (PDD Form 16-C)**, including the **SCDDSN Reconsideration Process and SCDHHS Medicaid Appeals Process (PDD Form 31-A)** must be sent to the recipient's parent/legal guardian. Copies of the **Notice of Suspension** must be sent to the EIBI Provider, the District I Waiver Coordinator, the Autism Division PDD Consultant, and a copy maintained in the recipient's file.
- For PDD State Funded recipients: the original **PDD State Funded Program Notice of Suspension of Services (PDD Form 16-D)**, including the **PDD State Funded Program Reconsideration/Appeals Process (PDD Form 31-B)** must be sent to the recipient's parent/legal guardian. Copies of the **Notice of Suspension** must be sent to the EIBI Provider, the District I Waiver Coordinator, the Autism Division PDD Consultant, and a copy maintained in the recipient's file.

Once the child is ready to resume services, the Case Manager must submit a new authorization form to the designated EIBI Provider.

If the Level of Care certification or the Support Plan exceeds 365 days, services (Waiver or State Funded) must be suspended until a current LOC certification or Support Plan is completed, at which time a new authorization form must be completed.